

Message Text

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TO AMEMBASSY LAGOS IMMEDIATE

C O N F I D E N T I A L STATE 108104

E.O. 11652:GDS

TAGS:EGEN, CASC, NI

SUBJECT:LEFEVRE CASE TACTICS

REF: EASUM/WYMAN TELCON 26 APRIL AND LAGOS 5196

1. DEPARTMENT SHARES EMBASSY'S CONCERN OVER FURTHER DELAY NOW LOOMING IN DISPOSITION OF LEFEVRE CASE IN AFTERMATH OF ADJOURNMENT UNTIL JUNE 23 AS REPORTED REFTEL. AS INDICATED IN EASUM/WYMAN TELCON, DEPARTMENT BELIEVES EMBASSY RESPONSE FOR THE TIME BEING SHOULD BE ALONG TWO FOLLOWING LINES: -- A) EXPRESS TO POLICE INSPECTOR GENERAL YUSUF OUR DISAPPOINTMENT THAT MAGISTRATE'S HEARING APRIL 25 DID NOT DISPOSE OF THE CASE ONE WAY OR THE OTHER, ASK HIM WHETHER THE INVESTIGATION SINCE LEFEVRE'S RELEASE FROM KIRI KIRI IN FACT PRODUCED ANY SIGNIFICANT RESULTS (WE NOTE LEFEVRE HAS NOT BEEN QUESTIONED SINCE HIS RELEASE, WHICH WE FIND PUZZLING IN VIEW OF YUSUF'S STATEMENT TO AMBASSADOR EASUM APRIL 2 THAT HE WANTED TO MOVE THE INVESTIGATION RAPIDLY), AND INQUIRE OF YUSUF UNDER WHAT CONDITIONS HE MIGHT BE PREPARED TO PERMIT LEFEVRE TO
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LEAVE NIGERIA. THE LAST QUESTION SHOULD BE PUT TO YUSUF ON THE BASIS OF CONJECTURE ONLY, SINCE AIG OFFICIALS TOLD EASUM IN NEW YORK APRIL 26 THAT THEY WERE NOT SURE THE COMPANY WOULD GO ALONG IN THE EVENT LEFEVRE'S FREEDOM TO

LEAVE NIGERIA WERE CONDITIONED UPON THE COMPANY'S PROMISING HE WOULD RETURN IF ASKED TO COOPERATE IN THE

ONGOING INVESTIGATION.

--B) EXPLORE FURTHER WITH ROTIMI WILLIAMS THE TIMING, SCENARIO, AND POSSIBLE RESULTS OF THE PROPOSED PETITION TO THE ATTORNEY GENERAL. SEEK WILLIAMS' GUIDANCE AS TO ROLE HE THINKS EMBASSY SHOULD PLAY.

2. EASUM RAISED ADJOURNMENT QUESTION APRIL 26 IN NEW YORK WITH INDUSTRIES PERSEC ALHAJI ABUBAKAR AND WITH MEA COMMISSIONER GARBA (SEPARATELY). ALHAJI CONFIRMED GENERAL LINES OF ORIGINS OF THE LEFEVRE DETENTION AS EXPLAINED TO EASUM AND EMBOFFS BY YUSUF APRIL 2. HE ATTRIBUTED ORIGINAL CHARGE AGAINST LEFEVRE AND EGBE TO DISGRUNTLED FIRED EMPLOYEE BUT WAS NOT PREPARED TO REJECT CREDIBILITY OF THE CHARGE SIMPLY BECAUSE OF POSSIBLE SELFISH MOTIVATION OF ITS AUTHOR. HE DESCRIBED EGBE AS A WHEELER-DEALER WHO WAS UP TO HIS EARS IN SHADY DEALINGS AND WHO INFURIATED HIS PEERS BY THE BOASTFUL ARROGANCE THAT ACCOMPANIED HIS CONNIVING. THERE WERE A LOT OF PEOPLE "OUT TO GET EGBE" AND IT WAS ESSENTIAL THAT LEFEVRE, WHOSE POOR JUDGMENT PERMITTED HIM TO GET MUCH TOO CLOSE TO EGBE, BE KEPT AT CLOSE HAND AS A MATERIAL WITNESS IN THE INVESTIGATION. ABUBAKAR AGREED, HOWEVER, THAT A DELAY OF TWO MONTHS WAS EXCESSIVE. HE SUGGESTED THAT THE EMBASSY ASK CHIEF JUSTICE SIR DARNLEY ALEXANDER TO INTERVENE WITH THE ATTORNEY GENERAL TO GET CONFIDENTIAL

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THE CASE REFERRED TO SOME OTHER COURT WHERE THE JUDGE WOULD CLEARLY BE ON SEAT AND THE CASE COULD BE HANDLED MORE PROMPTLY.

3. EASUM REVIEWED CASE WITH GARBA, WHO IMMEDIATELY SAID "WHY NOT FIND ANOTHER COURT?" WHEN TOLD OF THE PROPOSED PRESENTATION TO THE CHIEF JUSTICE, GARBA SAID HE THOUGHT IT WAS WORTH TRYING.

4. EASUM SUBSEQUENTLY ON APRIL 26 DISCUSSED AVAILABLE OPTIONS WITH ABOUZEID, BROWER AND NOTTINGHAM. THEY VIEWED A MOVE TO THE ATTORNEY GENERAL OR THE CHIEF JUSTICE WITH SOME HESITATION SINCE THEY THOUGHT SUCH ACTION MIGHT LOCK THEM INTO RELIANCE ON A JUDICIAL SYSTEM IN WHICH THEY HAD LITTLE CONFIDENCE. THEY CLEARLY PREFERRED WHAT THEY CALLED A "POLITICAL SOLUTION," THAT IS, A HIGH-LEVEL US GOVERNMENT REQUEST THAT THE CASE AGAINST LEFEVRE SIMPLY BE DROPPED. EASUM EXPLAINED EMBASSY'S RELUCTANCE TO TAKE ANY ACTION THAT WOULD LOOK LIKE INTERFERENCE WITH THE NIGERIAN LEGAL SYSTEM. EASUM AND

AIG OFFICIALS AGREED THAT NEXT STEPS SHOULD BE REVIEWED

TOGETHER IN THE LIGHT OF RESULTS OF UPCOMING EMBASSY
TALKS WITH YUSUF AND WILLIAMS. VANCE

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